

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

MARY VAN BRUNT-PIEHLER,

Plaintiff,

v.

ABSOLUTE SOFTWARE, INC., ABSOLUTE
SOFTWARE CORPORATION, GEOFF HAYDON,
THOMAS KENNY, and TODD AWTRY,

Defendants.

AFFIRMATION OF J. NELSON
THOMAS

Civil Action No.
16-CV-6313-EAW-MWP

J. Nelson Thomas, under penalty of perjury deposes and states:

1. I am a partner with the law firm Thomas & Solomon LLP, and as which I am knowledgeable and familiar with the facts of this matter.

2. I submit this affirmation in opposition to defendants' motion to compel the production of documents it claims have been improperly withheld on privilege grounds.

3. Plaintiff has no privileged documents in her possession prior to contacting Thomas & Solomon LLP on approximately July 8, 2015 to retain the firm to represent her in this litigation against the defendants.

4. Thus the plaintiff has no privileged documents regarding this litigation prior to retaining litigation counsel in this matter; has no responsive privileged documents to produce prior to retaining litigation counsel; is withholding no documents on the grounds of privilege prior to retaining litigation counsel; and thus no documents to place on a privilege log.

Executed on July 6, 2018.

s/ J. Nelson Thomas
J. Nelson Thomas